

TENTATIVE RULINGS

FOR: April 13, 2012

Please note that the court will strictly enforce filing deadlines for papers filed in support of and in opposition to law and motion matters, and may exercise its discretion to disregard a late filed paper, pursuant to California Rules of Court, rule 3.1300(d).

When calculating filing deadlines for papers to be filed within a certain number of court days from a hearing date, parties should exclude court holidays.

Court Reporting Services - As a result of statewide budget reductions, official court reporters are no longer provided by the Court in proceedings for which such services are not legally mandated. These proceedings include civil law and motion matters. If counsel wish to have the hearing on their civil law and motion matter reported, they have two options:

- Elect to use the services of a private local court reporter that the Napa County Bar Association has arranged to be present for the duration of all scheduled law and motion hearing calendars. There is a fee paid by the party directly to the court reporter for this service, and arrangements for payment can be made on the day of the hearing. For further information about the Bar Association program including fees, [click here](http://napacountybar.org/court_reporting.php) (http://napacountybar.org/court_reporting.php)
- Arrange for a private court reporter of their choosing to be present.

Attorneys or parties should confer with each other to avoid having more than one court reporter present for the same matter.

PROBATE CALENDAR – Dept. B (Historic Courthouse)

Estate of Flores

26-53497

FIRST AND FINAL ACCOUNT AND REPORT OF ADMINISTRATOR; PETITION FOR FEE AND COSTS AND FOR FINAL DISTRIBUTION

TENTATIVE RULING: GRANT PETITION, INCLUDING FEES AND/OR COMMISSIONS AS PRAYED.

CIVIL LAW & MOTION – Dept. B (Historic Courthouse)

In re Castro name change petition

26-58337

PETITION FOR CHANGE OF NAME

TENTATIVE RULING: The petition is filed by the minor's mother; the space on the petition for the father's information lists a name but no address. Pursuant to California Code of Civil Procedure section 1277, the non-petitioning parent, if living, must be personally served with this petition and given 30 days notice of the hearing, unless the court finds that such notice cannot be reasonably accomplished. The matter is continued to June 15, 2012 at 8:30 a.m. in Department B to allow for service on the minor's father. Additionally, when this matter comes back on calendar, the court will require further explanation of the reason for the name change.

Dinan v. Cuenca, et al.

26-55091

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT OR SUMMARY
ADJUDICATION OF ISSUES

TENTATIVE RULING: Plaintiff's unopposed motion for summary judgment as to defendant Lauren West appears meritorious and shall be GRANTED as prayed. Plaintiff has presented undisputed evidence that defendant West breached a contract with plaintiff to pay attorney's fees incurred in defending co-defendant Cuenca in a criminal matter. The evidence also supports judgment under the cause of action for an open book account. Because there exist no triable issues of material fact, summary judgment is properly granted.

CIVIL LAW & MOTION – Dept. C (Historic Courthouse)

In re Zepeda-Pena name change petition 26-58290

TENTATIVE RULING: Notice has been properly published and no written objections have been filed. The petition for name change shall therefore be GRANTED without need for appearance.